



MINUTES

COSM

Commissioners

COSM Work and Legislative Session

Wednesday, October 11, 2017, 6:00 pm - 8:00 pm

St. Michaels Branch of the Talbot County Free Library

106 S Fremont St., St. Michaels MD 21663

I. Call to Order - Pledge of Allegiance

Present at the meeting were Commissioners Jaime Windon, Roy Myers, Michael Bibb, and William Boos, and Joyce Harrod, Town Manager Jean Weisman, Zoning Officer Sarah Abel, Legislative Clerk Suzanna Warnick, Jeff Richardson, Public Works Director and 38 members of the public. President Boos convened the Regular Working and Legislative Session of the Commissioners of St. Michaels at 6:00 p.m. in the meeting room of the St. Michaels Library, Fremont Street, St. Michaels, Maryland, and the Pledge of Allegiance was recited.

II. Agenda Amendments

President Boos noted that any changes or additions to Commissioners' agendas had to be accepted by Friday of the week prior, and require a vote by three Commissioners for an alteration to the agenda.

III. Announcements from COSM and Staff

Town Manager Jean Weisman noted that Commissioner Bibb would be attending the Fall Municipal League conference for the remainder of this week. Mrs. Weisman said that last week's Friday Coffee with a Cop was very well attended and that the next gathering would be on November 3rd in the Town meeting room from 8-10 am. Mrs. Weisman added that on October 3rd, she and Commissioners Boos and Bibb had attended the Eastern Shore Municipalities dinner in Chestertown. Mrs. Weisman said that on October 19th all of the Commissioners and several staff attended the Project Purple presentation at the school auditorium on opioid addiction, including a moving testimonial by Chris Harron. Commissioner Harrod said that the Yacht Club would be hosting a Bay Hundred Area Prayer Breakfast on October 13th. Commissioner Harrod also noted she had taken a tour of the Harriet Tubman Museum in Cambridge, Maryland on Wednesday October 11th. Commissioner Windon said she was very impressed with the efforts of the Sheriff's Department regarding the fight against opioid addiction in Talbot County.

IV. Comments from the Public

Ann Hymes of Grace Street said she has cancelled the art project for next year and noted that she felt she had been pressured to add non-native plants in the Frederick Douglas Park. Tad DuPont of Locust Street, long-time owner of the Higgins Yacht Yard, introduced the new owner and boat yard manager, Mr. Jonathan Clark. The Commissioners welcomed Mr. Clark.

V. Special Presentation

- Talbot Street Utility Line Study

President Boos introduced Mr. John Williams of Booth and Assoc., who outlined his assessment and feasibility report on removing utility poles from Talbot Street, relocating utilities, and timing on the project. Mr. Booth noted the costs would be approximately \$12 million. Following Mr. Booth's presentation, the Commissioners took questions and comments from the public, residents and non-residents, as follows:

#1. Mike Estrella of E. Chew Avenue asked what was the meaning of constructability. Mr. Booth said constructability involves risks or variable factors and could affect pricing. In response to Mr. Estrella's second question, Mr. Booth said yes, the cost of New Lane rehabilitation if Route 2 was the chosen option, was included in the pricing.

#2. Mr. Paul Fleet of E. Chew, said he wanted to go on record that the cost of the project was a waste of money and excessive, that the costs would likely be more than anticipated due to complications, that the only benefit would be esthetics, and that residents would be negatively impacted. Mr. Fleet also said he thought residents should have more say in making the decision to go forward and not just the Commissioners.

#3 Mr. Savan Trojiani, developer of the building project on the former Big Al's property, verified that the cost estimates for the utility project were done by Booth and Associates, and then suggested that once the project begins it cannot stop and may hemorrhage time and money. Mr. Trojiani asked if the Town could have cost information, including overages, for similar towns to St. Michaels.

#3.5 John Marrah of Rio Vista asked why Verizon's costs were so much more than the other utilities. Mr. Booth responded that their costs relate to replacing an outdated copper system.

#4 Mr. Bill Costins, owner of Olivans on N. Talbot Street, asked what was the time frame to make the decision on the project. Commissioner Boos said it would be when the Commissioners have enough information to make a decision. Commissioner Windon said that this project has been discussed for some time, and that many factors are involved in any decision to move forward or not. Mr. Costin added that while he thought the end result would look fantastic, the construction and costs would be a nightmare and it would negatively impact businesses and residents.

#5 Randy Royer, of Blue Heron Coffee on E. Chestnut Street, said he had concerns about power outages during the project, and timing of sidewalk and street replacement.

#6 Tad duPont of Locust Street said he supported the project and would like to be on a committee to move it forward and to discuss ways to finance the project. Mr.

duPont noted the safety issues with the current rotting utility poles and questioned the continued longevity of the existing system, which has been there in some form for sixty years.

#7 John Hunnicut of New Lane and E. Chew, asked what other routes are possible besides the three outlined and referenced the trail as an alternative. Mr. Booth said that the trail would be logistically and financially prohibitive.

#8 John Booth of Five Gables Inn and Spa said the project would be a disaster for the businesses in Town.

#9 Ann Borders of Cherry Street said she supported the project and asked if anyone had asked Verizon what are their future plans for the peninsula.

#10 Glenn Albrecht of Connor Street said the project would be a disaster to the retailers, and many of the antiquated structures on Talbot Street could be compromised, particularly the foundations.

#11 Mary Jane Nagel of the pet retailer on Talbot Street, said such a project would negatively impact businesses with the loss of repeat customers, and tourists would will put up with the construction situation on the initial visit, but not come again.

#12 Jim Fulton of Cherry Street, said he had doubts about getting all the necessary water and sewer relocations given the addition of new manholes and the duct banks.

#13 Ernie Heether, owner of Charisma said the project would force him to close down his store and lay off employees. Mr. Heether also had concerns that the construction would prevent fire trucks from accessing the North end of the town, as well as any other large vehicle trying to get through to Tilghman Island and back.

#14 Mark Van Fleet of E. Chew Avenue said he supported Mr. duPont's position if the financials could be worked out.

#15 Peter Reis of W. Chew Avenue, said the project would beautify the Town, but it was too expensive and there were so many unanswered questions.

#16 Mr. Einhorn of N. Talbot Street said he found the project to not be viable on any level, and thought it would cause businesses to leave.

The Commissioners then presented their questions. Commissioner Boos suggested that the Commissioners take in all they had heard from the public and the presentation and schedule another meeting to discuss the issue. Commissioner Myers said he questioned the effects of the project on the sidewalks with the addition of the duct banks, side laterals and other engineering issues. Commissioner Harrod said the project did appear overwhelming and she had heard concerns among some residents about who would pay for the project and would taxes go up. Commissioner Windon had concerns that the Town would be creating a disaster zone that residents, businesses and visitors would have to endure for 18 months or longer for the sake of an esthetic.

President Boos thanked Mr. Williams for his presentation.

VI. Consent Agenda for Minutes, Department Reports and Event Permits

- Minutes

September 11, 2017 - Citizens Meeting

September 13, 2017 - COSM Regular Work & Leg Session

September 27, 2017 - Special Public Hearing

- Department Reports for September 2017

- Event Permits

-- Application of Public Event from St. Luke's School for a Fundraiser for St. Luke's Preschool on Oct 21 2017 from 10am to 2pm, for approx. 50-100 attendees.

-- Application for 4th Annual Holiday Parade from Classic Motor Museum of St. Michaels on Nov 18 2017 with Talbot Street closure from 10:30 - 11:30

President Boos announced that the approval of the consent agenda would include approval of minutes and departmental reports for the month of September 2017, as well as approval of permit applications from St. Luke's School for a preschool fundraiser on October 21, 2017, and a permit application for the 4th annual Classic Car Holiday Parade on November 18, 2017. As there were no comments or questions from the Commissioners, President Boos made the motion to approve the Consent Agenda as presented, and the motion passed by unanimous vote of 5-0 in favor.

VII. Resolution eligible for Vote

- Annexation Resolution No. 2017-03 - Brooks Lane

AN ANNEXATION RESOLUTION PURSUANT TO SECTION 4-401, ET SEQ. OF THE LOCAL GOVERNMENT ARTICLE OF THE MARYLAND ANNOTATED CODE FOR THE PURPOSE OF ANNEXING NINE PARCELS OF REAL PROPERTY CONSISTING OF 2.692 ACRES OF LAND, MORE OR LESS, LOCATED IN THE SECOND ELECTION DISTRICT OF TALBOT COUNTY, MARYLAND, ALONG THE WESTERN BOUNDARY OF THE TOWN, AND BEING MORE PARTICULARLY DESCRIBED IN THE RESOLUTION; PROVIDING FOR THE TERMS OF SUCH ANNEXATION IN THE ANNEXATION PLAN AND AGREEMENT; AMENDING THE CHARTER OF THE TOWN OF ST. MICHAELS FOR THE PURPOSE OF INCLUDING THE ANNEXED PROPERTIES WITHIN THE LEGAL DESCRIPTION AND PLATS DEPICTING THE CORPORATE LIMITS OF THE TOWN OF ST MICHAELS; AND GENERALLY RELATING TO THE ANNEXATION OF THE FOREGOING PROPERTIES TO THE TOWN OF ST. MICHAELS

This resolution was discussed on July 12 and August 23, 2017; with Introduction by Commissioners Myers and Bibb, and Public Hearing on September 27, 2017.

President Boos noted that the vote on Resolution No. 2017-03 (Brooks Lane) had

been postponed. Habitat Choptank requested the removal of the project discussion from the agenda. Mrs. Weisman said she did not have an date yet for the re-scheduling.

VIII. Commissioners Calendar

- * Swearing-in of new officer
- * Annexation Agreement for Brooks Lane
- * Bulk trash pickup

The Commissioners briefly discussed additions and changes to their agendas for upcoming meetings. The Commissioners agreed to discuss the utility pole issue again at the December meeting.

IX. Comments from the Commissioners

Commissioner Myers thanked Mr. Williams for his presentation and for responding to the questions.

X. Announcement of Future Meetings

Nov 8 2017 - 6:00 COSM Work and Legislative Session

Nov 10 2017 - Office closed for Veterans Day

Nov 23-24 2017 - Office closed for Thanksgiving Holiday

XI. Adjournment

President Boos closed the meeting at 7:55 pm. Ann Borders of Cherry Street said she had additional comments about the utility pole project and did not realize that the public comment time had been moved up to earlier in the meeting. President Boos apologized and re-opened the meeting so her comments could be included in the record. Ms. Borders suggested that the Commissioners should ask whether Verizon converting to FIOS would reduce the costs of the project. Ms. Borders also questioned the wisdom of taking public comment earlier in the meeting. The meeting was again adjourned at 8:00 p.m.